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C O N F I D E N T I A L SECTION 01 OF 03 YEREVAN 000498

SIPDIS

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SUBJECT: CONTINUED GOAM RESTRICTIONS ON RALLIES LAY GROUND
FOR JUNE 20 CONFRONTATION

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Classified By: CDA Joseph Pennington, Reasons 1.4(B),(D)

SUMMARY

1. (C) The Armenian authorities' continued unwillingness to authorize an opposition rally in downtown Yerevan has set the stage for a possible confrontation between police and opposition supporters on June 20. Supporters of opposition leader and former president Levon Ter-Petrossian (LTP) say they will defy the authorities by taking to the streets that evening. They point out that all 44 of their requests to rally since the deadly violence of March 1 have been rejected. The police presence in central Yerevan has already increased, and there are reports that dozens of LTP supporters outside the city have been detained and warned not to participate in the planned rally. The stakes are high for both sides. The government can ill afford more violence that would further diminish its already poor human rights performance. At the same time, the opposition risks losing credibility if it cannot produce significant numbers of supporters for the unauthorized rally. End summary.

AUTHORITIES REJECT OPPOSITION RALLY REQUEST

2. (C) On June 9, the LTP-led opposition filed a request with Yerevan municipal authorities for permission to stage a rally on June 20 in central Yerevan's Freedom Square, the site of 10 days of protests following the disputed February 19 presidential election. Three days later, the authorities rejected the request, saying that an all-day "children's festival" was scheduled to take place in the square on June 20. The opposition then submitted another request on June 13, this time seeking to stage the rally in front of the nearby Manuscript Museum (Matenadaran). That request was declined by the municipality on June 16, based on a recommendation by the police that such a rally would be "too dangerous." The opposition appealed both refusals to an administrative court, but the court rejected the complaints. The authorities' actions represent the 43rd and 44th times that the opposition has applied for permission to demonstrate since the violence of March 1-2 that left at least 10 people dead. All 44 requests have been turned down. The opposition has repeatedly and publicly made clear its intention to go ahead with the planned rally despite the authorities' decision, thus setting up a possible confrontation.

3. (C) In an effort to defuse the situation, municipal

authorities made a counter-proposal to the opposition's request to rally at Matenadaran, offering instead to authorize a demonstration in the fenced-in parking area at Yerevan's Hrazdan stadium which, though located within the city limits, is situated in an isolated, non-residential area devoid of foot traffic. The opposition rejected the offer out of hand. David Shakhnazarian, an LTP advisor, told CDA on June 17 that under Armenian law, the authorities do not have the option of suggesting a change of venue -- only changes in the proposed date or time of the rally are permissible. In addition, Shakhnazarian noted that the site offered by the municipality was enclosed by walls and fences on three sides, with the open side overlooking a deep gorge. He recounted that LTP had shown the site (ironically, it is visible from the terrace of his house) to PACE rapporteurs during his meeting with them on June 16. Shakhnazarian claims that the rapporteurs "had a good laugh" over the government's offer. (COMMENT: Shakhnazarian's comments about the rapporteurs corresponds with what we heard when the rapporteurs briefed foreign missions on their talks on June 17. French MP George Colombier said that, in general, the rapporteurs were "very disappointed" by that they had heard from Armenian officials. End comment.)

TENSION -- AND POLICE PRESENCE -- INCREASING

14. (C) As the June 20 confrontation looms, opposition supporters have become increasingly defiant in their daily, "spontaneous" demonstrations along Northern Avenue. (Note: Armenian law permits spontaneous rallies of fewer than 100 people without prior permission. The opposition has staged such events on a near-daily basis for the past three months. End Note.) On June 16, a group of about 75 oppositionists marched from Northern Avenue to Republic Square, where they

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shouted slogans critical of the PACE rapporteurs in front of the Marriott Hotel. The action led to heightened security around nearby government buildings. RSO reports that opposition activists have shown increased willingness to challenge the police in recent weeks, and seem more determined than ever to defy the authorities. At the same time, the police presence on downtown streets has also increased notably in recent days, a trend that is likely to continue through the possible action on June 20. Trucks with water cannons were spotted by Mission personnel in the city on June 16 -- the first time since the end of the State of Emergency in March. The LTP camp told us yesterday that several dozen of their supporters had been detained and held overnight on the suspicion that they intended to participate in the demonstration. They were released the following day with a warning to stay away from downtown on June 20.

HERITAGE LEADER SCORNS GOVERNMENT APPROACH

15. (C) In a June 17 conversation with CDA and Acting pol-econ chief, parliamentary opposition leader Raffi Hovanissian (Heritage Party) argued that the authorities' response to the proposed rally unnecessarily risked another clash between citizens and police. Hovanissian observed that if the authorities had allowed the rally to go forward, the onus would have been on the opposition to ensure that the event was peaceful. Now, he said, "it is the authorities who will be under the microscope by Strasbourg." Hovanissian ridiculed the use of a "children's festival" as a justification for denying permission to rally, noting that the authorities had used the same tactic against him during the May 2007 parliamentary election campaign. He acknowledged that, had he been in LTP's shoes, he probably would have accepted the offer to rally in Hrazdan. "But LTP is a different opposition leader with a different approach," he added. Hovanissian refused to speculate on what may happen

on June 20, but indicated that the situation is volatile and ripe for violence. He placed primary blame on the government, whose unwillingness to grant permission for rallies over the past three months he views as "a sign of a lack of a serious commitment to basic democratic rights and principles."

"STILL A WAY OUT" FOR THE GOAM

16. (C) In his June 17 discussion with the Charge, Shakhnazarian said that there is "still a way out" for President Serzh Sargsian, given the President's signing into law on the previous day a series of amendments to the draconian law on assemblies passed by the parliament during the State of Emergency. Once the law goes into effect, he said, the President could lean on municipal authorities to permit the rally, citing the more liberal amendments to the law as a pretext. (Note: It is not clear, however, exactly when the new law will enter into force, as it must first be published in the official gazette. End note.) CDA and acting pol-econ chief separately cautioned Shakhnazarian against actions that could lead to violence. Shakhnazarian took the point, but observed that it was the authorities who really needed to be restrained. He declined to be specific about the opposition's plans for June 20, but commented to CDA that "at the very least, there will be a march" through downtown streets.

COMMENT

17. (C) Although we expect that security forces will try to exercise restraint on the eve of possible sanctions against Armenia in the Council of Europe, we are concerned about the possibility that the June 20 confrontation could get out of hand. The stakes are high for both sides. The GOAM, as fearful as it may be of the bottled-up frustration of a large percentage of its citizenry, nevertheless cannot afford another black mark on its already grim human rights record this year. The opposition, on the other hand, risks losing credibility if it is unable to pull substantial numbers of Armenians into the streets to defy the authorities. We agree with Hovanissian that had the authorities allowed this rally to proceed legally, the opposition would have been forced to be on its best behavior. By denying permission for the exercise of democratic rights on 44 separate occasions, the

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government has made a mockery of the approval process and -- at least in the opposition view -- negated the need for demonstrators to play by the rules. End comment.

PENNINGTON